

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
September 15, 2016
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740

Opening ceremony: Beatrice A. Law

Closed Session:

Call to Order: Meeting was called to order at: 9:00 a.m.

Council Present: Secretary Aaron Otto, Treasurer Marcella Reyes, Councilor Frank Bernard, Councilor Beatrice Law, Councilor Dexter McNamara, Councilor Julia Shananaquet, Councilor Michael Naganashe

Absent: Legislative Leader position, Councilor David Harrington

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Legislative Office Manager Michele Portman-LaCount, Sr. Financial Analyst Stella Kay (prior to Oath of Office), Legislative Administrative Assistant Tamara Kiogima, General Counsel James Bransky

Executive Officials and Staff Present: Chairperson Gasco Bentley, Vice-Chair Stella Kay, Interim Tribal Administrator and Natural Resource Department Director Doug Craven, Food Distribution Program Specialist Joseph VanAlstine

Judicial Officials and Staff: Court Administrator Michael Wolf

Public: Doug Emery, David Kay, John Kawegoma, Carol Quinones, Allie Hughes, Jody Werner, Cathy Bradley, Chirs Peariso, Andrew Stich

Invited Guest: Lon Johnson candidate for Congress

Motion made by Councilor McNamara and supported by Councilor Law to adopt the agenda for September 15, 2016 as amended.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington)

Motion carried.

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to approve the minutes of September 1, 2016 as corrected.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington)

Motion carried.

9:21 a.m. Councilor Harrington arrived

1 Motion made by Councilor Law and supported by Treasurer Reyes to approve
2 Certified Motion #091516-01; Funding from the United States Department of
3 Agriculture (USDA), Food and Nutrition Services FY 2016 Food Distribution
4 Program on Indian Reservations (FDPIR).

5 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

6 Motion carried.

8 Motion made by Treasurer Reyes and supported by Councilor Law to approve
9 Certified Motion #091516-02; Request for Funding from U.S. Department of
10 Housing and Urban Development Native American Housing Assistance and Self-
11 Determination Act (NAHASDA) Indian Housing Block Grant Program.

12 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

13 Motion carried.

15 Motion made by Treasurer Reyes and supported by Councilor Law to approve
16 Certified Motion #091516-03; Funding from the United States Department of the
17 Interior Bureau of Indian Affairs P.L. 93-638 Annual Funding Agreement 2017
18 Annual Contract.

19 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

20 Motion carried.

22 Motion made by Treasurer Reyes and supported by Councilor Harrington to
23 approve Certified Motion #091516-04; Request for Funding from the State of
24 Michigan, Department of Human Services, Bureau of Juvenile Justice
25 Community Programming and Support Services, Child Care Fund Unit Child
26 Care Fund Intensive Probation FY 2017.

27 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

28 Motion carried.

30 Motion made by Councilor Law and supported by Treasurer Reyes to approve
31 Certified Motion #091516-05; Request for Funding from the State of Michigan,
32 Department of Human Services, Bureau of Juvenile Justice Community
33 Programming and Support Services, Child Care Fund Unit Child Care Fund In-
34 Home Care FY 2017.

35 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

36 Motion carried.

38 Motion made by Councilor McNamara an supported by Councilor Harrington to
39 approve Certified Motion #091516-06; Approval of FY 2017 – FY 2020 Tribal
40 Transportation Improvement Plan.

41 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

42 Motion carried.

44 Motion made by Treasurer Reyes and supported by Councilor Law to approve
45 Enrollment List C-Voluntary Relinquishment dated September 12, 2016 for a total
46 of 1.

47 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

1 Motion carried.

2
3 Motion made by Councilor Law and supported by Treasurer Reyes to cancel
4 Michelle Hillman's Disenrollment Hearing on February 2, 2016 due to her
5 relinquishment from the Sault Ste Marie Tribe.

6 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

7 Motion carried.

8
9 Motion made by Councilor McNamara and supported by Councilor Harrington to
10 modify Legislative Budget to incorporate appropriation for the supplemental
11 funding request in the amount of \$2,557 for the Tribal Historic Preservation
12 Office's Tribal Historic Preservation Fund Operations Grant.

13 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

14 Motion carried.

15
16 Motion made by Councilor Law and supported by Councilor McNamara to
17 approve Certified Motion #091516-07 Funding from the U.S. Department of
18 Health and Human Services Indian Health Service - Sanitation Program Well &
19 Septic Systems Contract BE-15-J53 Modification #03.

20 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

21 Motion carried.

22
23 Motion made by Councilor Harrington and supported by Treasurer Reyes to
24 assign Gwen Gasco to the Traditional Tribal Burial Board, Inc. to serve the
25 remainder of a four (4) year term ending September 21, 2018 and to amend the
26 Corporate Charter to reflect the assignment.

27 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

28 Motion carried.

29
30 Motion made by Councilor Law and supported by Councilor McNamara to assign
31 Patrick Wemigwase to the Traditional Tribal Burial Board, Inc. to serve the
32 remainder of a four (4) year term ending September 21, 2018 and to amend the
33 Corporate Charter to reflect the assignment.

34 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

35 Motion carried.

36
37 Motion made by Councilor Harrington and supported by Councilor Law to adopt
38 Tribal Resolution: To Authorize Funding in the Amount of \$35,000.00 for
39 Purchase of Parcel #97 to come from Reserved General Fund Balance-
40 Supplemental Funding.

41 Roll call vote: Councilor Bernard-yes, Councilor Harrington-yes, Councilor Law-
42 yes, Councilor McNamara-yes, Councilor Naganashe-yes, Councilor
43 Shananaquet-yes, Treasurer Reyes-yes, Secretary Otto-yes

44 Motion carried.

45
46 Motion made by Councilor Harrington and supported by Councilor Shananaquet
47 to adopt Tribal Resolution: To authorize Supplemental Funding in the amount of

1 \$90,000.00 for 2016 Funeral Assistance Fund to come from Reserved General
2 Fund Balance-Supplemental Funding.

3 Roll call vote: Councilor Bernard-yes, Councilor Harrington-yes, Councilor Law-
4 yes, Councilor McNamara-yes, Councilor Naganashe-yes, Councilor
5 Shananaquet-yes, Treasurer Reyes-yes, Secretary Otto-yes
6 Motion carried.

7
8 Motion made by Councilor Law and supported by Councilor Harrington to adopt
9 Tribal Resolution: To authorize Supplemental Funding in the Amount of
10 \$52,000.00, for the Little Traverse Bay Bands of Odawa Indians Salt Shed to
11 come from Reserved General Fund Balance-Supplemental Funding.

12 Roll call vote: Councilor Bernard-yes, Councilor Harrington-yes, Councilor Law-
13 yes, Councilor McNamara-yes, Councilor Naganashe-yes, Councilor
14 Shananaquet-yes, Treasurer Reyes-yes, Secretary Otto-yes
15 Motion carried.

16
17 Motion made by Councilor Law and supported by Councilor Harrington to adopt
18 Tribal Resolution: To Appropriate Funding in the Amount of \$671,650.00 to the
19 Min-A-Mskiki Gumik for a Tribal Pharmacy to come from IHS Fund Balance and
20 3rd Party Revenue Fund Balance.

21 Roll call vote: Councilor Bernard-yes, Councilor Harrington-yes, Councilor Law-
22 yes, Councilor McNamara-yes, Councilor Naganashe-yes, Councilor
23 Shananaquet-yes, Treasurer Reyes-yes, Secretary Otto-yes
24 Motion carried.

25
26 10:05 a.m. Break
27 10:19 a.m. Return

28
29 Secretary Report:

30
31 i. Documents Delivered to Executive

32
33 -Waganakising Odawak Statute Compensation for Tribal Council
34 delivered to the Executive on 08-02-16 enacted without signature on 09-
35 01-16.

36
37 -Waganakising Odawak Statute Amendment to Waganakising Odawak
38 Statute 2013-010 Fair Employment delivered to the Executive on 08-02-
39 16 enacted without signature on 09-01-16.

40
41 -Waganakising Odawak Statute Office of Finance and Revenue was
42 delivered to the Executive on 08-23-16 and signed on 08-26-16.

43
44 -Waganakising Odawak Statute Little Traverse Bay Bands of Odawa
45 Indians Nibiish Waagdown "The Care of the Water" Clean Water Act was
46 submitted to the Executive on 09-07-16 still pending.

47
48 ii. Vetoes: none

iii. Phone Polls- 08-19-16 Motion to approve The Special Prosecutor Contract Amendment between Little Traverse Bay Bands and Kevin Hesselink, dated July 22, 2014, as renewed on August 18, 2016 for a period of ninety (90) days. Vote: 8-yes, 0-no, 0-abstained, 0-absent

Motion made by Councilor Shananaquet and supported by Treasurer Reyes to acknowledge receipt of Secretary Otto's verbal and written as provided on agenda for September 15, 2016.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Secretary Otto and supported by Councilor Law to amend the agenda to include the Executive Oversight Report.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Motion made by Councilor Shananaquet and supported by Councilor Harrington to acknowledge receipt of the verbal Executive oversight report as presented by Chairperson Gasco Bentley.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

Motion carried.

Treasurer Report

i. Appropriations and Finance Committee

-Last meeting September 6, 2016 at 1:00 p.m.

(Recommendations made by committee)

*Motion made by Councilor Shananaquet and supported by Councilor Law to recommend Tribal Council approval of: Certified Motion #091516-01; Funding from the United States Department of Agriculture (USDA), Food and Nutrition Services FY 2016 Food Distribution Program on Indian Reservations (FDPIR).
Vote: 3-yes, 0-no, 0-abstain, 0-absent Motion carried*

*Motion made by Councilor Law and supported by Councilor Shananaquet to recommend Tribal Council approval of: Certified Motion #091516-02; Request for Funding from U.S. Department of Housing and Urban Development Native American Housing Assistance and Self-Determination Act (NAHASDA) Indian Housing Block Grant Program.
Vote: 3-yes, 0-no, 0-abstain, 0-absent Motion carried*

*Motion made by Councilor Law and supported by Councilor Shananaquet to recommend Tribal Council approval of: Certified Motion #091516-03; Funding from the United States Department of the Interior Bureau of Indian Affairs P.L. 93-638 Annual Funding Agreement 2017 Annual Contract.
Vote: 3-yes, 0-no, 0-abstain, 0-absent Motion carried*

1
2 *Motion made by Councilor Shananaquet and supported by Councilor Law to*
3 *recommend Tribal Council approval of: Tribal Resolution xxx To Authorize*
4 *Funding in the Amount of \$35,000 for Purchase of Parcel # 97 to come from*
5 *Reserved General Fund Balance-Supplemental Funding.*
6 *Vote: 3-yes, 0-no, 0-abstain, 0-absent Motion carried*
7

8 *Motion made by Councilor Law and supported by Councilor Shananaquet to*
9 *recommend Tribal Council approval of Tribal Resolution xxx- To authorize*
10 *Supplemental Funding in amount of \$90,000.00 for 2016 Funeral Assistance*
11 *Fund to come from Reserved General Fund Balance-Supplemental Funding.*
12 *Vote: 3-yes, 0-no, 0-abstain, 0-absent*
13 *Motion carried*
14

15 *Motion made by Councilor Shananaquet and supported by Councilor Law to*
16 *recommend Tribal Council approval of Tribal Resolution xxx- To authorize*
17 *Supplemental Funding in the Amount of \$52,000, for the Little Traverse Bay*
18 *Bands of Odawa Indians Salt Shed to come from Reserved General Fund*
19 *Balance-Supplemental Funding.*
20 *Vote: 3-yes, 0-no, 0-abstain, 0-absent*
21 *Motion carried*
22

23 *Motion made by Councilor Shananaquet and supported by Councilor Law to*
24 *recommend Tribal Council approval of: Tribal Resolution :xxx To Appropriate*
25 *Funding in the Amount of \$671,650.00 to the Min-A-Miskiki Gumik for a Tribal*
26 *Pharmacy to come from IHS Fund Balance and 3rd Party Revenue Fund*
27 *Balance.*
28 *Vote: 3-yes, 0-no, 0-abstain, 0-absent*
29 *Motion carried*
30

31 *Motion made by Councilor Shananaquet and supported by Treasurer Reyes to*
32 *modify Legislative Budget to incorporate appropriation for the supplemental*
33 *funding request in the amount of \$2,557 for the Tribal Historic Preservation*
34 *Office's Tribal Historic Preservation Fund Operations Grant.*
35 *Vote: 2-yes, 0-no, 0-abstain, 1-absent*
36 *Motion carried*
37

38 *Approved by Phone Poll on 09-12-16:*
39

40 *Motion to recommend Tribal Council approve Certified Motion #091516-04; State*
41 *of Michigan, Department of Human Services, Bureau of Juvenile Justice, Child*
42 *Care Fund – Intensive Probation, FY 2017.*
43

44 *Motion to recommend Tribal Council approve Certified Motion #091516-05; State*
45 *of Michigan, Department of Human Services, Bureau of Juvenile Justice, Child*
46 *Care Fund – In-Home Care, FY 2017.*
47

48 *Approved by Phone Poll on 09-13-16:*
49

50 *Motion to recommend Tribal Council approve Certified Motion 091516-07*
51 *Funding from the U.S. Department of Health and Human Services Indian Health*
52 *Service- Sanitation Program Well & Septic Systems Contract BE-15-J53*
53 *Modification #03*
54

55 *-Next meeting: October 7, 2016 at 1:00 p.m.*
56

1 Motion made by Councilor Shananaquet and supported by Councilor Law to
2 acknowledge receipt of Treasurer Reyes verbal and written Appropriations and
3 Finance Committee as provided on the agenda for September 15, 2016.

4 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

5 Motion carried.

6
7 Motion made by Councilor Law and supported by Councilor Harrington to accept
8 Councilor Shananaquet's verbal and written Tribal Council member report.

9 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

10 Motion carried.

11
12 Public Comment opened:

- 13
- 14 - Doug Emery spoke asked about Berg Farm contracting with regard to
15 hunting leases.
 - 16
 - 17 - John Kawegoma asked for a definition of Tribal Citizen for service
18 purposes; housing assistance for Elders with regards to family member
19 live-ins and need for a standardized guideline; and Tribal Council travel
20 reports; the need for a standard of quality for hosting events;
21 Housing assistance need and the committee he is establishing to travel
22 to investigate different programs.
 - 23
 - 24 - Andrew Stich spoke regarding missing Tribal Council travel reports.
 - 25
 - 26 - Donna Budnick acknowledged and thanked Chairperson Gasco
27 Bentley and Stella Kay for their previous and current service to the
28 Tribe.
 - 29
 - 30 - Petchiese Carol King asked if Tribal Council will be buying land and if
31 there is hope for homeless after existing services runs out.
 - 32

33 11:12 a.m. Public Comment closed

34 11:12 a.m. Recess called

35
36 11:12 a.m. Lunch

37 1:37 p.m. Returned

38
39 Lon Johnson candidate for Congress

40
41 Tribal Court update: Court Administrator Michael Wolf and Jocindee Sawaquat

42
43 Motion made by Treasurer Reyes and supported by Councilor Law to declare a
44 vacancy on Tribal Council, and the Legislative Office will post the vacancy for
45 letters of interest due by close of business on October 3, and the date for
46 interviews will be October 4, 2016.

47 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

1 Motion carried.

2
3 Motion made by Treasurer Reyes and supported by Councilor Law to declare the
4 Legislative Leader position vacant.

5 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

6 Motion carried.

7
8 Motion made by Councilor Law and supported by Councilor Harrington to appoint
9 Aaron Otto as the Legislative Leader of Tribal Council.

10 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

11 Motion carried.

12
13 Motion made by Treasurer Reyes supported by Councilor Law to declare the
14 Tribal Secretary position vacant.

15 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

16 Motion carried.

17
18 Motion made by Councilor Law and supported by Councilor McNamara to
19 appoint Julie Shananaquet as Tribal Secretary.

20 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

21 Motion carried.

22
23 3:00 p.m. Public comment opened:

- 24 - Beatrice A. Law wished Stella Kay the best and congratulations, and
25 congratulated Aaron Otto as the new Legislative Leader and Julie
26 Shananaquet as Tribal Secretary.

27
28 3:03 p.m. Public Comment closed.

29
30 3:04 p.m. Break. Councilor McNamara left the meeting.

31 3:18 p.m. Return

32
33 Land and Reservation Committee

34
35 -Last meeting: September. 9, 2016 at 9:00 a.m.

36
37 (Recommendation made by Committee)

38
39 *Motion made by Councilor Harrington and supported by Councilor Bernard to reaffirm this*
40 *committee's recommendation to purchase land parcel #97; with remaining balance of \$35,000 to*
41 *come from the Reserved General Fund Balance-Supplemental Funding.*

42 *Vote: 3-yes; 0-no; 0-abstain; 0-absent No Comments Motion Carries*

43
44 -Next meeting: October 7, 2016 at 9:00 a.m.

1 Motion made by Councilor Shananaquet and supported by Councilor Law to
2 accept the Land and Reservation Committee verbal and written report as
3 provided on the agenda for September 15, 2016.

4 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

5 Motion carried.

6
7 Ethics Committee FYI

8 - Last Meeting: August 15, 2016

9 - Next Meeting: September 26, 2016

10
11 Motion made by Councilor Law and supported by Councilor Harrington to
12 acknowledge receipt of Sr. Financial Analyst Stella Kay's written report for
13 September 15, 2016.

14 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

15 Motion carried.

16
17 Motion made by Councilor Shananaquet and supported by Councilor Law to
18 acknowledge receipt of Legislative Services Attorney Budnick's verbal and
19 written report for September 15, 2016.

20 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

21 Motion carried.

22
23 Motion made by Councilor Law and supported by Councilor Shananaquet to
24 acknowledge receipt of the Enjiinakneng verbal report as provided by General
25 Counsel Bransky for September 15, 2016.

26 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

27 Motion carried.

28
29 Motion made by Councilor Law and supported by Treasurer Reyes to
30 acknowledge receipt of Michele Portman-LaCount's Legislative Office Manager
31 verbal report for September 15, 2016.

32 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

33 Motion carried.

34
35 Motion made by Councilor Harrington and supported by Councilor Law to amend
36 the agenda to include a new motion regarding Enrollment list C and a Certified
37 Motion #091516-08 for WOCTEP.

38 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

39 Motion carried.

40
41 Motion made by Councilor Shananaquet and supported by Councilor Law to
42 amend the motion that approved Enrollment List C-Voluntary Relinquishment
43 dated September 12, 2016 for a total of 1 and revises the motion as follows: to
44 approve Enrollment List C-Voluntary Relinquishment dated September 12, 2016
45 for approval of a total of 2.

46 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

47 Motion carried.

1
2
3 Motion made by Councilor Shananaquet and supported by Treasurer Reyes to
4 approve Certified Motion #091516-08; Request for funding from the Office of
5 Vocational and Adult Education, Native American Career and Technical
6 Education Program Waganakising Odawa Career and Technical Education
7 Project (WOCTEP) Supplemental Grant Funding.

8 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

9 Motion carried.

10
11 Motion made by Councilor Shananaquet and supported by Councilor Harrington
12 to adjourn.

13 Vote: 8 - Yes, 0 - No, 0 - Abstained, 0 – Absent

14 Motion carried.

15
16
17 Please contact the Legislative Office at 231-242-1403, or 231-242-1404 for
18 additional updates and clarifications of these minutes as presented.

19
20 These Minutes have been read and approved as written (or) corrected: (delete
21 either the word “written” or “corrected” as pertains to how the minutes were
22 approved.)

23
24
25
26 _____
27 Aaron Otto, Tribal Council Secretary

Date